

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN DEJUAN HATCHER,

Petitioner,

vs.

Case No. 05-CV-74194
HON. GEORGE CARAM STEEH
Crim. No. 01-CR-80361

UNITED STATES OF AMERICA,

Respondent.

ORDER DENYING CERTIFICATE OF APPEALABILITY

On June 28, 2006, the court dismissed petitioner John DeJuan Hatcher's 28 U.S.C. § 2255 motion, and denied a certificate of appealability with respect to that decision. See June 28, 2006 Order (Dkt. No. 186). On April 5, 2007, the court denied Hatcher's motion for reconsideration of the June 28, 2006 Order. See April 5, 2007 Order (Dkt. No. 207). Before Hatcher may appeal the court's denial of his motion for reconsideration, a certificate of appealability must issue. 28 U.S.C. §2253(c)(1)(B); Fed. R. App. P. 22(b). A certificate of appealability may issue "only if the applicant has made a substantial showing of the denial of a constitutional right." 28 U.S.C. §2253(c)(2). Hatcher has made no such showing, either in his § 2255 motion or motion for reconsideration. Accordingly, a certificate of appealability is hereby DENIED.

SO ORDERED.

Dated: August 27, 2007

s/George Caram Steeh _____
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
August 27, 2007, by electronic and/or ordinary mail.

s/Josephine Chaffee
Deputy Clerk